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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.
PUBLIC INTEREST LITIGATION NO.38 OF 2007

Syed Nabi Shah ... Petitioner
V/s.
Municipal Corporation of
Greater Mumbai & Ors. ... Respondents

Mr.Ganesh Sovani for Petitioner
Ms.Shobha Ajeet Kumar for Respondent No.1
Mr.Milind More, AGP, for Respondent Nos.2 and 3

CORAM: **J.N. PATEL &**
SMT.NISHITA MHATRE, JJ.
DATED: **DECEMBER 12, 2007**

P.C.:

. This is a Public Interest Litigation filed by the petitioner seeking a writ directing Respondent No.1 Municipal Corporation for removing encroachments on the public well situated at Gangaram Chawl, Sewree Cross Road, Mumbai - 15 and to cleanse the same and make it appropriate for the residents in the locality and other users than the human consumption. The respondents have filed their affidavit in reply wherein they have specifically stated that insofar as the encroachment part is concerned, the same has been removed and the well has been sealed. It is further stated that the well contains water which is not only harmful for human consumption but even hazardous for other uses. We have no reason to disbelieve the respondent corporation on this count. Hence, the Public Interest Litigation is dismissed.

(SMT.NISHITA MHATRE, J.) (J.N. PATEL, J.)